UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

GOVERNMENT EMPLOYEES INSURANCE CO., GEICO INDEMNITY CO., GEICO GENERAL INSURANCE COMPANY and GEICO CASUALTY CO.,

Case No: 3:23-cv-00590-FDW-SCR

Plaintiffs,

-against-

APEX SPINE & ORTHOPAEDICS, PLLC, ERIK T. BENDIKS, M.D., ADVANCED PAIN CONSULTANTS, P.A., and SONIA P. PASI, M.D.,

Defendants.

JOINT MOTION FOR ENTRY OF PROPOSED PROTECTIVE ORDER

Plaintiffs Government Employees Insurance Co., et al. (collectively "Plaintiffs") and Defendants Apex Spine & Orthopaedics, PLLC, Erik T. Bendiks, M.D., Advanced Pain Consultants, P.A., and Sonia P. Pasi, M.D. (collectively, the "Parties") jointly and respectfully move this Court for entry of a proposed protective order in the enclosed form. The Parties rely on the grounds set forth in the accompanying brief submitted in accordance with Local Civil Rule 7.1.

WHEREFORE, the Parties jointly and respectfully move this Court for entry of a proposed protective order in the enclosed form.

Respectfully submitted,

By: /s/ *Christie M. Hayes* Christie M. Hayes, Esq. BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C. 602 Sevier Street Suite 300 Johnson City, TN 37604 Telephone: 423-928-0181

Barry I. Levy, Esq. (admitted *pro hac vice*) Max Gershenoff, Esq. (admitted pro hac vice) Steven Henesy, Esq. (admitted pro hac vice) RIVKIN RADLER, LLP 926 RXR Plaza Uniondale, New York 11556 Telephone: 516-357-3000

Counsel for Plaintiffs Government Employees Insurance Company, GEICO Indemnity Company, GEICO General Insurance Company, and GEICO Casualty Company

/s/ John Mumford

John B. Mumford, Jr. (NC Bar No. 56900) John S. Buford (NC Bar No. 28455) HANCOCK, DANIEL & JOHNSON, P.C. 4701 Cox Rd., Suite 400 Glen Allen, VA 23060 Telephone: 804-967-9604 Fax: 804-967-9888 jmumford@hancockdaniel.com jbuford@hancockdaniel.com

Daniel Adams (NC Bar No. 51806) BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP 230 North Elm St., Suite 2000 Greensboro, NC 27401 Telephone: 336-271-3109 Fax: 336-232-9109

dadams@brookspierce.com

Counsel for Defendants Advanced Pain Consultants, P.A. and Sonia P. Pasi, M.D.

/s/ John Michael Durnovich

John Michael ("J.M.") Durnovich POYNER SPRUILL LLP jdurnovich@poynerspruill.com N.C. State Bar No. 47715 Andrew H. Erteschik N.C. State Bar No. 35269 aerteschik@poynerspruill.com 301 South College St., Ste. 2900 Charlotte, NC 28202

Telephone: 704-342-5250 Facsimile: 704-342-5264

/s/ Andrew P. Baratta

Andrew P. Baratta BARATTA LAW, LLC Pennsylvania Bar No. 82250 andrew@barattalawfirm.com 3500 Reading Way Huntingdon Valley, PA 19006 Telephone: 215-914-8132

Fax: 215-914-2118

Counsel for Defendants Apex Spine & Orthopaedics, PLLC and Erik T. Bendiks, M.D.